

Attorney Docket No.: P-4257-US1

JC20 Rec'd PCT/PTO 23 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): AVNI, Dov et al.

Examiner: Not Yet Known

Serial No.: Not Yet Known

Group Art Unit: Not Yet Known

Filed: Herewith

Title: APPARATUS AND METHOD FOR LIGHT CONTROL IN AN IN-VIVO  
IMAGING DEVICE

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, this Information Disclosure Statement includes Form PTO-1449:

1.  listing documents including patents, publications and other information for consideration by the Examiner; however, since the subject application was filed after June 30, 2003, copies of United States patents and/or United States patent application publications are not included in this information disclosure statement; and/or
2.  listing documents including patents, publications and other information that have been previously cited or submitted to the Patent Office in prior application U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_ which is properly identified and relied on for an earlier effective filing date under 35 U.S.C. 120 for consideration by the Examiner; however, in accordance with 37 C.F.R. 1.98(d), copies of such documents are not included in this information disclosure statement; and/or
3.  listing documents including patents, publications, and other information for consideration by the Examiner; copies of which are included with this information disclosure statement;
4.  listing other information for the Examiner's consideration which was cited in a communication from a foreign patent office in a counterpart foreign application, a copy of which is included with this information disclosure statement.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.B./

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SERIAL NO.: Not Yet Known  
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The information herein cited is only in fulfillment of Applicant(s) duty of candor in disclosing all information brought to Applicant(s) attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each and every document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application and is evidence that the Examiner has considered the document.

This Information Disclosure Statement is being filed:

- I)  Within three (3) months of filing the subject Application or entry of the subject Application into the national stage or before mailing of the first Office Action on the merits of the subject Application or a request for continued examination thereof, whichever event occurs last pursuant to of 37 C.F.R §1.97 (b); or
- II)  After the period specified in (I) but before the mailing date of either a final Official Action under 37 C.F.R §1.113 or a notice of allowance under 37 C.F.R §1.311 whichever occurs first and;

1.  the undersigned hereby states that each item of information listed on the Form PTO-1449 was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement or (ii) not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, not known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this information disclosure statement; or

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 SERIAL NO: Not Yet Known  
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2.  the undersigned hereby authorizes the Patent Office to charge the fee in the amount of \$180.00 under 37 C.F.R. §1.17 (p) to Deposit Account 50-3355.

III)  After the period in (I) and (II) but before the payment of the issue fee and,

1. The undersigned hereby states:

a)  that each item of information cited on the form PTO-1449 was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or

b)  that no items of information contained in Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

2.  The undersigned hereby authorizes the Patent Office to charge the Petition fee in the Amount of \$180.00 under 37 C.F.R. §1.17 (p) to Deposit Account 50-3355.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-3355.

Respectfully submitted,  
 Carl Pollack  
 Attorney/Agent for Applicant(s)  
 Registration No. 37,912

Dated: September 23, 2005

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PTO/SCE-14A (10-96)

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	Not Yet Known
				Filing Date	Herewith
				First Named Inventor	AVNI, Dov
				Group Art Unit	Not Yet Known
				Examiner Name	Not Yet Known
Sheet	1	of	2	Attorney Docket Number	P-4257-US1

<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
A	3,971,362			Pope et al.	07-27-1976	
B	4,273,431			Farmer et al.	06-16-1981	
C	4,278,077			Mizumoto	07-14-1981	
D	4,532,918			Wheeler	08-06-1985	
E	4,646,724			Sato et al.	03-03-1987	
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H	5,187,572			Nakamura et al.	02-16-1993	
I	5,279,607			Schentag et al.	01-18-1994	
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L	5,678,568			Uchikubo et al.	10-21-1997	
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Q	6,351,606			Yamazaki	02-26-2002	
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S	6,636,263			Oda	10-21-2003	
T	6,667,765			Tanaka	12-23-2003	

<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Office <sup>3</sup>	Number <sup>4</sup>			
U	DE	34 40 177		Hilliges	06-15-1986	
V	JP	4109927		Masayuki, et al	04-10-1992	
W	JP	5015515		Akira	01-26-1993	
X	JP	2001025004		Takishima	01-26-2001	
Y	WO	00/76391		Kislev, et al	12-21-2000	
Z	WO	01/35813		Meron, et al	05-25-2001	
AA	WO	01/50941		Rafael	07-19-2001	
AB	WO	01/65995		Iddan, et al	09-13-2001	
AC	WO	01/87377		Glukhovsky, et al	11-22-2001	
AD	WO	03-009739		Avni, et al	02-06-2003	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached

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Receipt date: 09/23/2005

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Substitute for form 1449A/PTO				Complete if Known	
				Application Number	Not Yet Known 10551053
				Filing Date	Herewith
				First Named Inventor	AVNI, Dov
				Group Art Unit	Not Yet Known
				Examiner Name	Not Yet Known
Sheet	2	of	2	Attorney Docket Number	P-4257-US1

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		Number	Kind Code <sup>2</sup> (if known)			
AE		60/307,603		Avni et al.	06-26-2001 (filing date)	
AF		2001-019364		Kawahara	09-06-2001	
AG		2003-0117491		Avni et al	06-26-2003	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite <sup>1</sup> No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Office <sup>3</sup>	Number <sup>4</sup>			
AH	WO	04-082472		Avni, et al	09-30-2004	<input type="checkbox"/>
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine journal, serial, symposium, catalog etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
		T <sup>2</sup>			
AI		"The Radio Pill", Rowlands et al British Communications and Electronics August 1960 pp 598-601			
AJ		International Search Report WO 2004/082472 Application No: PCT/IL04/00265 International filing date: March 23 2004			
AK		"Wireless Transmission of a Color Television Moving Image from the Stomach using a Miniature CCD Camera, Light Source and Microwave Transmitter". Swain CP Gong F, Mills TN Gastrointest Endosc 1997;45:AB40, Vol. 45 No. 4., 1997.			
AL		BBC News Online - Pill camera to 'broadcast from the gut' February 21 2000 <a href="http://www.news.bbc.co.uk">www.news.bbc.co.uk</a> Printed 22 October 2002			

Examiner Signature	/Joel Brutus/	Date Considered	05/25/2009
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